

# EXHIBIT C-3

**From:** [DMCA](#)  
**To:** ["andy@digeratidistribution.com"](mailto:andy@digeratidistribution.com)  
**Cc:** [DMCA](#); ["ccowart@creedon.com"](mailto:ccowart@creedon.com); [Chris Schenck](#)  
**Subject:** DMCA Takedown Notice 34304  
**Date:** Wednesday, February 15, 2023 1:47:31 PM  
**Attachments:** [35261803\\_1\\_DMCA\\_Takedown\\_Notice\\_to\\_Steam.pdf](#)

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### **DMCA Takedown Notice on your item**

Valve has received a DMCA copyright takedown notice directed at your game on Steam, at [https://store.steampowered.com/app/1276810/The\\_Outbound\\_Ghost/](https://store.steampowered.com/app/1276810/The_Outbound_Ghost/). *A copy of the notice is set forth in full at the end of this email.*

Conrad Grindheim Borrell on behalf of Conradical Sarl alleges that they are the copyright owner of The Outbound Ghost 1.0 computer program and that your use of the content without their authorization infringes their rights. The original DMCA complaint and copyright registration are attached to this email.

As a result of this complaint, we have temporarily removed your game from Steam as required by law.

Valve follows the procedure set forth in the Digital Millennium Copyright Act. The DMCA is a United States copyright law that governs online service provider liability in case of a copyright infringement claim. **When we receive a DMCA notice, Valve must take down the allegedly infringing copyright materials; otherwise, Valve could be subject to a copyright infringement claim.**

### **Counter-Notice Process**

If you feel that the DMCA notice filed against you is inaccurate, Valve can reinstate your posting on Steam only upon receipt of a DMCA-compliant counter-notice from you containing the following information listed below. Upon receipt of your counter-notice, the claimant is allowed 10 business days to bring legal proceedings against you. If we do not receive notice of such proceeding within that period, then we will reinstate your content. Please note: If the content in your post infringed when the original copyright complaint arrived, your counter-notice is not legally valid. Do not submit a counter-notice if there was illegal content, even if it has now been removed.

1. Identify the material that Valve removed or disabled access to and the location at which it previously appeared.

[https://store.steampowered.com/app/1276810/The\\_Outbound\\_Ghost/](https://store.steampowered.com/app/1276810/The_Outbound_Ghost/)

2. Your statement, made under penalty of perjury, that you have a good faith belief that Valve removed that material due to a mistake or misidentification of the material to be removed or disabled.

I, \_\_\_\_\_, hereby state, under penalty of perjury, that I have a good faith belief that Valve removed that material due to a mistake or misidentification of the material to be removed or disabled.

3. Your name, complete mailing address, and telephone number.

Name

Mailing Address

Telephone number

4. A statement that you consent to the jurisdiction of your local federal District Court (or if you are located outside the United States, the Federal District Court for Western Washington, where Valve is located) and that you will accept service of process from the person who provided the notice of alleged copyright infringement (or an agent of that person).

I, \_\_\_\_\_, hereby consent to the jurisdiction of the U.S. District Court in which my home (identified above) is located, (or if I live outside the United States, the

Federal District Court for Western Washington, where Valve is located). I further promise that I will accept service of process from the person who provided the notice of alleged copyright infringement (or an agent of that person).

5. Your physical or electronic signature.

/Signature/, digital signature, or a scanned copy of this statement with your handwritten signature. This signature indicates your willingness to stand behind the statements you make.

If you have legal questions about this notification, you should retain your own counsel. Valve cannot provide legal advice. Please let us know if you have any other questions about this notification.

Thanks for your attention.

DMCA Team

Valve Corporation

CONTENT BEING REPORTED

This is the letter that our legal team has sent to [chriss@valvesoftware.com](mailto:chriss@valvesoftware.com), [dawnd@valvesoftware.com](mailto:dawnd@valvesoftware.com), and [alden@valvesoftware.com](mailto:alden@valvesoftware.com). We have placed the plaintext version of the letter below:

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, currently being sold through Steam by Digerati Distribution & Marketing, LLC, as publisher (“Digerati”), at the following URL: [https://store.steampowered.com/app/1276810/The\\_Outbound\\_Ghost/](https://store.steampowered.com/app/1276810/The_Outbound_Ghost/).

The purpose of this communication is to seek the immediate removal of the Video Game’s store page from Steam pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”). The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as Exhibit A hereto). The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Steam or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other

applicable intellectual property laws of the United States of America.

Based on the above, on behalf of the Developer, we hereby ask Valve Corporation to remove the Video Game's store page from Steam immediately upon receipt of this notice.

In addition, in line with the instructions set forth on Steam's website, we have completed and submitted the attached form Steam's website. See, <https://steamcommunity.com/dmca/create/>. If you have any questions, please contact me at [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com) or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.

**ORIGINAL CONTENT**

Any Steam account that controls The Outbound Ghost that is not controlled by Conradical Sarl is unauthorized and hence the Steam page should be given back to the Steam account "conradicalgames". An excerpt from the letter above that identifies relevant information:

The purpose of this communication is to seek the immediate removal of the Video Game's store page from Steam pursuant to Section 512(c) of the Digital Millennium Copyright Act ("DMCA"). The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as Exhibit A hereto). The Developer granted Digerati a license (the "License") to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the "Licensing Agreement").

Plaintiff

Conrad Grindheim Borrell

On behalf of copyright holder: Conradical Sarl

Rue Ransou 151

Chalet le Nid d'Oiseaux

Verbier, Bagnes 1936

CH

+41 76 227 39 30

[conrad@conradicalgames.com](mailto:conrad@conradicalgames.com)

Signed by: Conrad Grindheim Borrell



**ALMARAN LAW PLLC**  
*57 Turner Pl., #2, Brooklyn NY 11218*

**DMCA TAKEDOWN NOTICE**

February 15, 2023

**Dawn Dempsey**  
Designated Copyright Agent  
Valve Corporation  
10400 NE 4th Street  
Suite 1400  
Bellevue, WA 98004  
[dmca@valvesoftware.com](mailto:dmca@valvesoftware.com)

**Chris Schenk**  
Legal Counsel  
Valve Corporation  
[chriss@valvesoftware.com](mailto:chriss@valvesoftware.com)

**Re: The Outbound Ghost - DMCA Takedown Notice**

Dear Chris,

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, currently being sold through Steam by Digerati Distribution & Marketing, LLC, as publisher (“Digerati”), at the following URL: [https://store.steampowered.com/app/1276810/The\\_Outbound\\_Ghost/](https://store.steampowered.com/app/1276810/The_Outbound_Ghost/).

The purpose of this communication is to seek the immediate removal of the Video Game’s store page from Steam pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Steam or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America.

Based on the above, on behalf of the Developer, we hereby ask Valve Corporation to remove the Video Game’s store page from Steam immediately upon receipt of this notice.

In addition, in line with the instructions set forth on Steam’s website, we have completed and submitted the attached form Steam’s website. See, <https://steamcommunity.com/dmca/create/>

If you have any questions, please contact me at [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com) or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a horizontal line, positioned above a horizontal line.

**Andrés Arnaldos Montaner, Esq.**  
Attorney at Law

**Exhibit A**

Registration Number

**TX 9-222-190**

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

**Title** \_\_\_\_\_

Title of Work: The Outbound Ghost 1.0

**Completion/Publication** \_\_\_\_\_

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1<sup>st</sup> Publication: United States

**Author** \_\_\_\_\_

• Author: Conradical Sarl  
Author Created: computer program  
Work made for hire: Yes  
Citizen of: Switzerland

**Copyright Claimant** \_\_\_\_\_

Copyright Claimant: Conradical Sarl  
Rue de Ransou 151, Verbier, 1936, Switzerland

**Limitation of copyright claim** \_\_\_\_\_

Material excluded from this claim: computer program

New material included in claim: computer program

**Certification** \_\_\_\_\_

Name: Conrad Grindheim

Date: February 08, 2023

Applicant's Tracking Number: 163685.00005

**ALMARAN LAW PLLC**  
*57 Turner Pl., #2, Brooklyn NY 11218*

**DMCA TAKEDOWN NOTICE**

February 16, 2023

Focus Multimedia Ltd.  
The Studios, Lea Hall Enterprise Park, Wheelhouse Road  
Rugeley, Brereton, Staffordshire, WS15 1LH  
United Kingdom

**Re: The Outbound Ghost - DMCA Takedown Notice**

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, currently being sold through Focus Multimedia Ltd. (“Focus Multimedia”) on their website fanatical.com by Digerati Distribution & Marketing, LLC, as publisher (“Digerati”), at the following URL:  
<https://www.fanatical.com/en/game/the-outbound-ghost>.

The purpose of this communication is to seek the immediate removal of the Video Game’s store page from fanatical.com pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Fanatical.com or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Focus Multimedia to remove the Video Game’s store page at fanatical.com immediately upon receipt of this notice.

If you have any questions, please contact me at [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com) or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

---

**Andrés Arnaldos Montaner, Esq.**  
Attorney at Law

**Exhibit A**

Registration Number

**TX 9-222-190**

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

**Title**

Title of Work: The Outbound Ghost 1.0

**Completion/Publication**

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1<sup>st</sup> Publication: United States

**Author**

• Author: Conradical Sarl  
Author Created: computer program  
Work made for hire: Yes  
Citizen of: Switzerland

**Copyright Claimant**

Copyright Claimant: Conradical Sarl  
Rue de Ransou 151, Verbier, 1936, Switzerland

**Limitation of copyright claim**

Material excluded from this claim: computer program

New material included in claim: computer program

**Certification**

Name: Conrad Grindheim

Date: February 08, 2023

Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC  
57 Turner Pl., #2, Brooklyn NY 11218

**DMCA TAKEDOWN NOTICE**

February 16, 2023

Copyright Agent  
GOG sp. z o.o.  
ul. Jagiellońska 74  
03-301 Warsaw  
Poland  
[legal@GOG.COM](mailto:legal@GOG.COM)

**Re: The Outbound Ghost - DMCA Takedown Notice**

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, currently being sold through GOG by Digerati Distribution & Marketing, LLC, as publisher (“Digerati”), at the following URL: [https://www.gog.com/game/the\\_outbound\\_ghost](https://www.gog.com/game/the_outbound_ghost).

The purpose of this communication is to seek the immediate removal of the Video Game’s store page from GOG’s website pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).


Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through GOG or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask GOG to remove the Video Game’s store page at GOG’s website immediately upon receipt of this notice.

If you have any questions, please contact me at [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com) or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

---

**Andrés Arnaldos Montaner, Esq.**  
Attorney at Law



**Exhibit A**

Registration Number

**TX 9-222-190**

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

**Title**

Title of Work: The Outbound Ghost 1.0

**Completion/Publication**

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1<sup>st</sup> Publication: United States

**Author**

• Author: Conradical Sarl  
Author Created: computer program  
Work made for hire: Yes  
Citizen of: Switzerland

**Copyright Claimant**

Copyright Claimant: Conradical Sarl  
Rue de Ransou 151, Verbier, 1936, Switzerland

**Limitation of copyright claim**

Material excluded from this claim: computer program

New material included in claim: computer program

**Certification**

Name: Conrad Grindheim

Date: February 08, 2023

Applicant's Tracking Number: 163685.00005

**ALMARAN LAW PLLC**  
*57 Turner Pl., #2, Brooklyn NY 11218*

**DMCA TAKEDOWN NOTICE**

February 16, 2023

**Merge Games Ltd.**  
The School House  
Alderley Rd, Chelford  
Macclesfield SK11 9AP  
[support@mergegames.com](mailto:support@mergegames.com)

**Re: The Outbound Ghost - DMCA Takedown Notice**

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, that we understand is currently being sold by Merge Games Ltd. (“Merge Games”).

The purpose of this communication is to have Merge Games immediately cease selling the Video Game pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

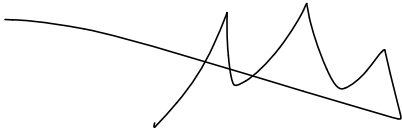
Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Merge Games or any other platform or retailer. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Merge Games to cease selling the Video Game immediately upon receipt of this notice.

If you have any questions, please contact me at [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com) or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

---

**Andrés Arnaldos Montaner, Esq.**  
Attorney at Law

## Exhibit A

Registration Number

**TX 9-222-190**

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

### Title

Title of Work: The Outbound Ghost 1.0

### Completion/Publication

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1<sup>st</sup> Publication: United States

### Author

• Author: Conradical Sarl  
Author Created: computer program  
Work made for hire: Yes  
Citizen of: Switzerland

### Copyright Claimant

Copyright Claimant: Conradical Sarl  
Rue de Ransou 151, Verbier, 1936, Switzerland

### Limitation of copyright claim

Material excluded from this claim: computer program

New material included in claim: computer program

### Certification

Name: Conrad Grindheim  
Date: February 08, 2023  
Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC  
57 Turner Pl., #2, Brooklyn NY 11218

**DMCA TAKEDOWN NOTICE**

February 16, 2023

Nintendo of America Inc.  
c/o Legal Department, Intellectual Property Policy  
4600 150th Ave NE  
Redmond, WA 98052  
[dmca@noa.nintendo.com](mailto:dmca@noa.nintendo.com)

**Re: The Outbound Ghost - DMCA Takedown Notice**

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the "Developer") with respect to The Outbound Ghost (the "Video Game"), a video game developed by it, currently being sold for Switch on Nintendo's online store by Digerati Distribution & Marketing, LLC, as publisher ("Digerati"), at the following URL: <https://www.nintendo.com/store/products/the-outbound-ghost-switch/>.

The purpose of this communication is to seek the immediate removal of the Video Game's store page from Nintendo's online store pursuant to Section 512(c) of the Digital Millennium Copyright Act ("DMCA").

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the "License") to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the "Licensing Agreement").

Due to Digerati's repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement's own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Nintendo of America, Inc. ("Nintendo") or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer's copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Nintendo to remove the Video Game's store page at Nintendo's online store immediately upon receipt of this notice.

If you have any questions, please contact me at [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com) or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**



Sincerely,

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**Andrés Arnaldos Montaner, Esq.**  
Attorney at Law

**Exhibit A**

Registration Number

**TX 9-222-190**

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

**Title** \_\_\_\_\_

Title of Work: The Outbound Ghost 1.0

**Completion/Publication** \_\_\_\_\_

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1<sup>st</sup> Publication: United States

**Author** \_\_\_\_\_

• Author: Conradical Sarl  
Author Created: computer program  
Work made for hire: Yes  
Citizen of: Switzerland

**Copyright Claimant** \_\_\_\_\_

Copyright Claimant: Conradical Sarl  
Rue de Ransou 151, Verbier, 1936, Switzerland

**Limitation of copyright claim** \_\_\_\_\_

Material excluded from this claim: computer program

New material included in claim: computer program

**Certification** \_\_\_\_\_

Name: Conrad Grindheim

Date: February 08, 2023

Applicant's Tracking Number: 163685.00005

**ALMARAN LAW PLLC**  
*57 Turner Pl., #2, Brooklyn NY 11218*

**DMCA TAKEDOWN NOTICE**

February 16, 2023

Soft Source Pte Ltd  
190 Middle Road  
#11-05 Fortune Centre  
Singapore 188979  
[support@softsource.sg](mailto:support@softsource.sg)

**Re: The Outbound Ghost - DMCA Takedown Notice**

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, that we understand is currently being sold by Soft Source Pte Ltd (“Soft Source”).

The purpose of this communication is to have Soft Source Pte Ltd (“Soft Source”) immediately cease selling the Video Game pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Soft Source or any other platform or retailer. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

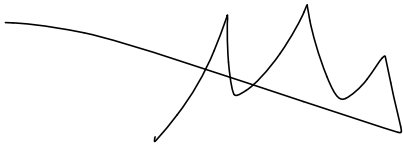
Based on the above, on behalf of the Developer, we hereby ask Soft Source to cease selling the Video Game immediately upon receipt of this notice.

If you have any questions, please contact me at [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com) or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**



Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

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**Andrés Arnaldos Montaner, Esq.**  
Attorney at Law

## Exhibit A

Registration Number

**TX 9-222-190**

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

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### Title

Title of Work: The Outbound Ghost 1.0

### Completion/Publication

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1<sup>st</sup> Publication: United States

### Author

• Author: Conradical Sarl  
Author Created: computer program  
Work made for hire: Yes  
Citizen of: Switzerland

### Copyright Claimant

Copyright Claimant: Conradical Sarl  
Rue de Ransou 151, Verbier, 1936, Switzerland

### Limitation of copyright claim

Material excluded from this claim: computer program

New material included in claim: computer program

### Certification

Name: Conrad Grindheim  
Date: February 08, 2023  
Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC  
57 Turner Pl., #2, Brooklyn NY 11218

**DMCA TAKEDOWN NOTICE**

February 16, 2023

**TESURA GAMES, S.L.**  
Océano Índico 9  
Miraflores de la Sierra (28792)  
Madrid, ESPAÑA  
[contact@tesuragames.com](mailto:contact@tesuragames.com)

**Re: The Outbound Ghost - DMCA Takedown Notice**

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, that we understand is currently being sold by Tesura Games, S.L. (“Tesura Games”).

The purpose of this communication is to have Tesura Games immediately cease selling the Video Game pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

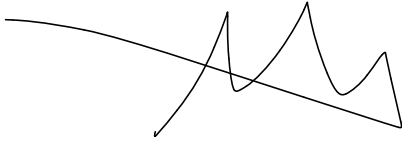
Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Tesura Games or any other platform or retailer. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Tesura Games to cease selling the Video Game immediately upon receipt of this notice.

If you have any questions, please contact me at [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com) or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

---

**Andrés Arnaldos Montaner, Esq.**  
Attorney at Law

## Exhibit A

Registration Number

**TX 9-222-190**

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

**Title** \_\_\_\_\_

Title of Work: The Outbound Ghost 1.0

**Completion/Publication** \_\_\_\_\_

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1<sup>st</sup> Publication: United States

**Author** \_\_\_\_\_

• Author: Conradical Sarl  
Author Created: computer program  
Work made for hire: Yes  
Citizen of: Switzerland

**Copyright Claimant** \_\_\_\_\_

Copyright Claimant: Conradical Sarl  
Rue de Ransou 151, Verbier, 1936, Switzerland

**Limitation of copyright claim** \_\_\_\_\_

Material excluded from this claim: computer program

New material included in claim: computer program

**Certification** \_\_\_\_\_

Name: Conrad Grindheim  
Date: February 08, 2023  
Applicant's Tracking Number: 163685.00005

## Digerati Distribution & Marketing

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**From:** Mike Corrigan <mike@digeratidistribution.com>  
**Sent:** 26 April 2023 09:02  
**To:** Andy Dennis  
**Subject:** Fwd: The Outbound Ghost on GMG

----- Forwarded message -----

From: **Rosanna Mattiello** <[rosanna.mattiello@greenmangaming.com](mailto:rosanna.mattiello@greenmangaming.com)>  
Date: Thu, Feb 16, 2023 at 2:41 PM  
Subject: The Outbound Ghost on GMG  
To: Mike Corrigan <[mike@digeratidistribution.com](mailto:mike@digeratidistribution.com)>

Hi Mike

I hope you're keeping well!

I just wanted to check in on what the situation is with **The Outbound Ghost** and its developer? We've received a DMCA from Conrad Grindheim to remove the title from our site.

Thanks,  
Rosie

---

**Rosanna Mattiello**  
Buyer | Trading Team



[greenmangaming.com](https://greenmangaming.com)



## Digerati Distribution & Marketing

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**From:** Mike Corrigan <mike@digeratidistribution.com>  
**Sent:** 26 April 2023 09:03  
**To:** Andy Dennis  
**Subject:** Fwd: The Outbound Ghost - Notice of possible DCMA takedown request

----- Forwarded message -----

From: **Terrence Brooks** <[terrence.brooks@epicgames.com](mailto:terrence.brooks@epicgames.com)>  
Date: Tue, Feb 21, 2023 at 7:30 PM  
Subject: Re: The Outbound Ghost - Notice of possible DCMA takedown request  
To: Mike Corrigan <[mike@digeratidistribution.com](mailto:mike@digeratidistribution.com)>

Hello Mike,

Please see the following message from our legal team:

The below material you've made available on the Epic Games Store has been removed in response to a copyright takedown notice we've received from a rights holder:

Allegedly Infringing Content: [The Outbound Ghost | Download and Buy Today - Epic Games Store](#)

If you believe this content should not have been removed from the Epic Games Store, you may contact the complaining party to directly resolve your issue:

Rights Holder: Conradical Sàrl

Email: [andres.arnaldos@almaranlaw.com](mailto:andres.arnaldos@almaranlaw.com)

If you and the Rights Holder agree to restore the reported content, please have them write to us at [dmca@support.epicgames.com](mailto:dmca@support.epicgames.com) with their consent to restore your content. Once we receive their consent, we may restore your content. Do note that the individual or entity who submitted the takedown notice is not required to respond to your inquiry.

If you believe the above-listed material has been removed as a result of mistake or misidentification, you may send us a counter notification of your objection pursuant to 17 U.S.C. § 512(g)(3). You must include the following in your counter notification:

- Your full name, address, telephone number, and email address;
- Identification of the material that has been removed or disabled and the location where the material appeared before it was removed or disabled;

- The following statement: "I swear under penalty of perjury that I have a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled. I consent to the jurisdiction of the Federal District Court for the judicial district in which my address is located, or if I am located outside of the United States, for any judicial district in which Epic Games, Inc. may be found, and that I will accept service of process from the person who provided the takedown notice or their agent"; and
- Your physical or electronic signature. To enter an electronic signature, simply write your full legal name (a first and last name, not a company name).

Please note that there may be severe legal consequences for knowingly submitting a false counter notification notice to us. If you would still like to proceed, please send your counter notification to the following address:

Legal Department  
Epic Games, Inc.  
620 Crossroads Blvd.  
Cary, NC 27518  
Email: [dmca@support.epicgames.com](mailto:dmca@support.epicgames.com)

Best,

Epic Games Store



**Terrence Brooks**  
*EGS Account Manager, EGS BizDev Team*  
Epic Games, Inc.

On Thu, Dec 8, 2022 at 1:00 PM Terrence Brooks <[terrence.brooks@epicgames.com](mailto:terrence.brooks@epicgames.com)> wrote:  
Hi Mike,

Thanks for letting me know. We have not received any DMCA notices but the team handling that pipeline is made aware that it could be possible.

Let our Service Delivery team know if there's anything they can do as the game is still available for purchase on EGS. If you cannot de-list or make the game unavailable for purchase (should that be your decision) they can coordinate this with you.

Thanks,



**Terrence Brooks**  
*EGS Account Manager, EGS BizDev Team*  
Epic Games, Inc.

\* Epic Games offices in the U.S. will be closed Nov. 24 - 27 & Dec 16 - Jan 2nd.



On Wed, Dec 7, 2022 at 4:24 PM Mike Corrigan <[mike@digeratidistribution.com](mailto:mike@digeratidistribution.com)> wrote:

Hey Terrence,

I hope you are well.

We are currently undergoing legal counsel regarding our title 'The Outbound Ghost' and its developer Mr Grindheim.

If you receive any requests for a DCMA takedown regarding this title, please find our lawyer's response below.

Please let me know if you need anything further, I'd be more than happy to assist in any way I can!

Dear Terrence:

Mr. Grindheim has not complied with the DMCA takedown procedure in 17 U.S.C. § 512(c). For example, he has not identified the copyright registration. Because he has failed to comply with the provisions of 512(c)(3)(B), this notice fails under the DMCA to provide notice to you regarding the infringing conduct.

Even if he did have a copyright registration or provided the information under the DMCA, Mr. Grindheim signed the attached work for hire agreement and has expressly assigned the copyright ownership to Digerati under 17 U.S.C. §§ 101 and 201. Accordingly, Digerati owns all of the rights in the game The Outbound Ghost.

Under Section 512(g), Digerati certifies that it has a good faith belief that the material at issue would be removed or disabled based on mistake. As such, Epic is protected under the DMCA Safe Harbour provision under Section 512(g)(4) with respect to the developer's alleged DMCA Takedown Notice.

Christian Cowart  
Attorney | Creedon PLLC  
5 Cowboys Way, Suite 300, Frisco, TX 75034  
D: 972.694.9686

Kind Regards,

**MIKE CORRIGAN**  
OPS DIRECTOR

